

## **REMARKS**

Claims 1-9 and 12-17 are pending in the application. Claims 14 and 16 have been amended herein. Favorable reconsideration of the application, as amended, is respectfully requested.

### ***I. REJECTION OF CLAIMS 14 AND 16 UNDER 35 USC §101***

Claims 14 and 16 stand rejected under 35 USC §101 as being directed to non-statutory subject matter. Claims 14 and 16 have been amended to recite *a non-transitory computer-readable medium*. Withdrawal of the rejection is therefore respectfully requested.

### ***II. REJECTION OF CLAIMS 1-9 AND 12-17 UNDER 35 USC §103(a)***

Claims 1-9 and 12-17 stand rejected under 35 USC §103(a) as being unpatentable over Dow (US 7,251,413) in view of Sawabe (US 6,898,160) and Notoya (US 7,272,299).

#### ***i. Sawabe fails to cure the deficiencies of Dow***

In response to Applicant's arguments, the Examiner contends that Sawabe discloses the attribute information of the present invention by the indication of whether or not the reproduction list of Sawabe corresponds to the audio information or to the video information. (Office Action, pages 2-3.) Applicant respectfully disagrees and traverses the rejection for at least the following reasons.

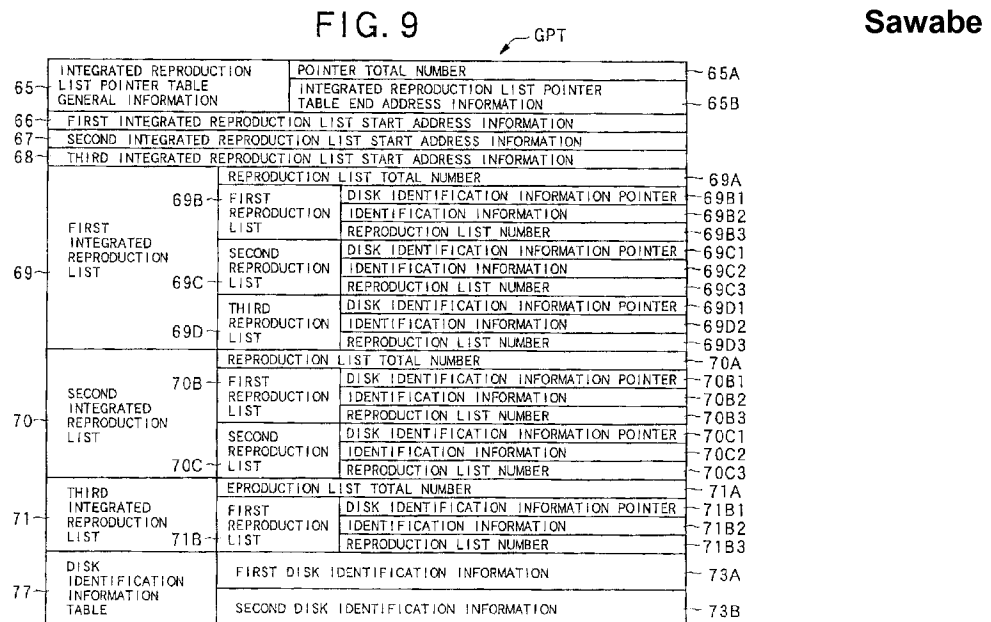
With exemplary reference to claim 1, the claims of the present application recite, *inter alia*:

*...attribute information that uses a video object unit (VOBU) of the encoded data as a sample unit and that describes an attribute of the sample unit;*

Applicant respectfully submits that Sawabe fails to disclose or suggest such features. That is, Sawabe fails to disclose or suggest that an attribute of the sample unit (i.e. VOBUs) of encoded data is described in the reproduction list.

As discussed in greater detail in the previous Office Action, Sawabe discloses an integrated reproduction list (i.e., playlist) that corresponds to a plurality of recording information recorded in a plurality of information recording mediums. The integrated reproduction list enables the sequential reproduction of a plurality of recording information in accordance with a desired reproducing procedure.

In the Examiner's response to Applicant's arguments, reference is made to Figure 9 and the description starting from Col. 28, line 11 of Sawabe. As illustrated in Figure 9 of Sawabe, reproduced below, reproduction list 69B is composed of "disk identification information pointer 69B1," "identification information 69B2," and "reproduction list number 69B3."



Disk identification information pointer 69B1 describes a recording start position on the DVD 1' of disk identification information indicating the second DVD in which a reproduction list corresponding to the first reproduction information list 69B is recorded. (Col. 28,

lines 14-19.) In other words, the “reproduction list” of Sawabe is provided on a disk-by-disk basis.

Sawabe fails to disclose that an attribute of each sample unit (i.e. each VOB) is described in the “reproduction list.” The attribute information of Sawabe is merely the identification of the type of file to be reproduced, e.g., audio information or video information. (Sawabe, Col. 11, lines 41-46.)

Hence, Sawabe does not disclose or suggest *attribute information that uses a video object unit (VOBU) of the encoded data as a sample unit and that describes an attribute of the sample unit*, as recited in the claims.

Furthermore, the encoded data indicated by the “reproduction list” in Sawabe is not encoded data generated by encoding the video data and the audio data, as recited in the claims. In Sawabe, identification information 69B2 describes an attribute of the second setting reproduction sequence information 60, which indicates whether or not the “reproduction list” corresponds to the audio information or to the video information. (Col. 28, lines 19 to 23, *emphasis added*.) Hence, in Sawabe, a reproduction list on the audio information and a reproduction list on the video information are respectively provided.

Applicants further submit that there is no rational basis to combine the teachings of Sawabe with the teachings of Dow and/or Notoya in the manner proposed by the Examiner. As exemplified at Col. 11, lines 27-34, Sawabe contemplates generating a “reproduction list” for sequentially reproducing each of audio information and video information from a plurality DVDs in which the audio information and video information are recorded in individual regions, and to generate a reproduction list for sequentially reproducing each of the information irrespective of the audio information or the video information. These are Sawabe's specific purposes for reproducing audio/video information. This is the reason why Sawabe discloses a reproduction list on a disk-by-disk basis. Sawabe does not disclose, as from its specific purpose, a reproduction list on a “sample unit”-by-“sample unit” basis for reproducing the encoded data generated by encoding the video data and the audio data.

**ii. Notoya fails to cure the deficiencies of Dow and Sawabe**

It is admitted in the Office Action that Dow and Sawabe both fail to disclose that *the encoded data is decodable by the auxiliary information file in accordance with a standard other than the MPEG-2 system standard*. But it is contended that Notoya discloses such features. Applicant respectfully disagrees and traverses the rejection for at least the following reasons.

Notoya discloses the transport of a MPEG-4 data stream via real-time transport protocol (RTP). Specifically, Notoya discloses that MPEG-4 coded data that is divided into units of video packets and stored in RTP packets is received by a RTP receiver 91. A RTP decoder 93 restores the RTP packets to MPEG-4 data by removing the RTP header of each RTP packet. A MP4 file encoder 95 converts the MPEG-4 data into an MPEG-4 file, and the MPEG-4 file is stored in a recording medium 96. (see Col. 5, line 45 – Col. 6, line 44 and FIG. 17.)

Hence, Notoya simply discloses encoding and storing the MPEG-4 file to a recording medium. Notoya neither discloses (1) the claimed encoded data (i.e. a data file complying with the MPEG-2 system standard) nor (2) an auxiliary information file for decoding the claimed encoded data (i.e. a data file complying with the MPEG-2 system standard) in accordance with a standard other than the MPEG-2 system standard.

Accordingly, the Dow/Sawabe/Notoya combination does not disclose or suggest that *the encoded data* (i.e. a data file complying with the MPEG-2 system standard) *is decodable both by the auxiliary information file in accordance with a standard other than the MPEG-2 system standard and by the MPEG-2 system standard*.

For at least the above reasons, Applicant respectfully submits that the Dow/Sawabe/Notoya combination does not teach or suggest the features of claims 1, 12-17, and the claims dependent therefrom. Applicant respectfully requests that the rejection under 35 USC §103(a) be withdrawn.

**III. CONCLUSION**

Accordingly, all claims 1-9 and 12-17 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Mark D. Saralino/

Mark D. Saralino  
Reg. No. 34,243

DATE: December 30, 2010

The Keith Building  
1621 Euclid Avenue  
Nineteenth Floor  
Cleveland, Ohio 44115  
(216) 621-1113